

ASBESTOS NESHAP REQUIREMENTS

DEQ AQD FUGITIVE DUST MANAGEMENT
WORKSHOP

APRIL 26, 2016

Asbestos Regulations

● NESHAP

40 CFR Part 61 Subpart M

(National Emission Standards for Asbestos)

State Regulations adopted by reference in Rule 942

● MiOSHA

29 CFR 1910.1001

(General Industry Standards)

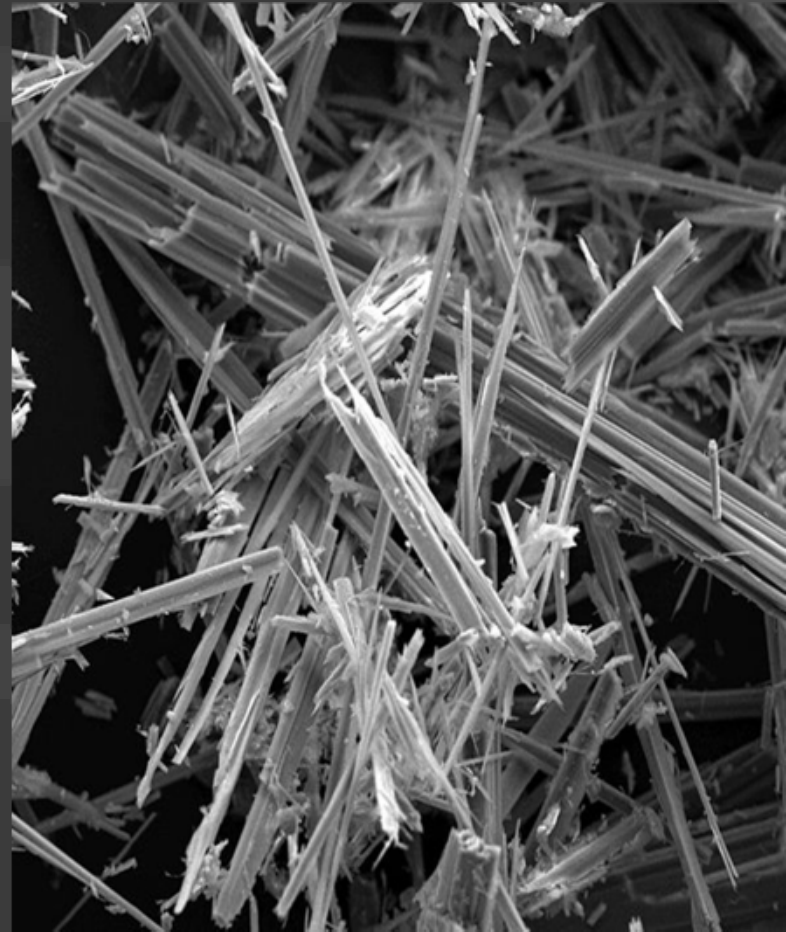
29 CFR 1926.1101

(Construction Industry Standards)



What is Asbestos?

- Asbestos is a naturally occurring mineral, distinguished from other minerals by the fact that its crystals form long thin fibers.
- Asbestos fibers are very light and can stay suspended in the air for days.
- Heat resistant, acid proof, fibers provide strength and insulation
- The word asbestos is derived from a Greek adjective meaning inextinguishable

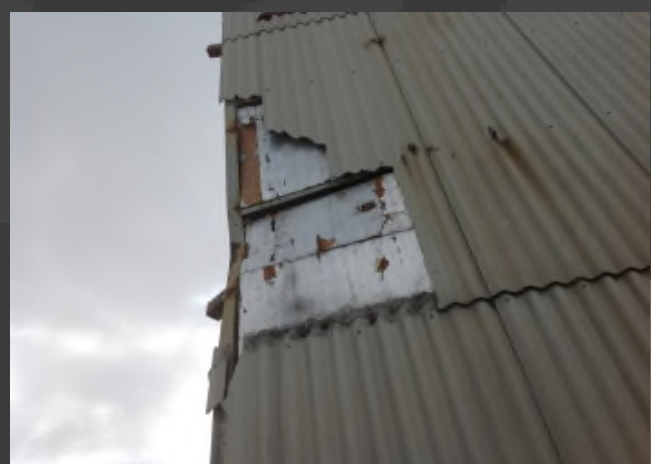


How is it used?

- Pipe, duct, boiler insulation
- Spray-on fireproof/acoustical coating
- Municipal water mains/sewers
- Wire/electrical insulation
- Roofing products – felt, shingles, asphalt cement
- Texturing (“popcorn ceiling”)
- Drywall, tape and/or mud
- Plaster
- Attic insulation (vermiculite)
- Mastic and adhesives
- Fire doors
- Chalkboards
- Caulk and grout
- Vinyl asbestos tile (VAT) or sheet flooring

There are over 3000 known asbestos-containing products!!!

Asbestos Containing Materials



Why is it Regulated?

- ◉ Asbestos is an air contaminant
- ◉ Health impacts – known human carcinogen
- ◉ Widely used as a building material
- ◉ Renovation/demolition processes are likely to disturb the fibers and create inhalation hazard

Types of Regulated Facilities



Blight Removal Projects



The Asbestos Survey

“Facility must be thoroughly inspected”



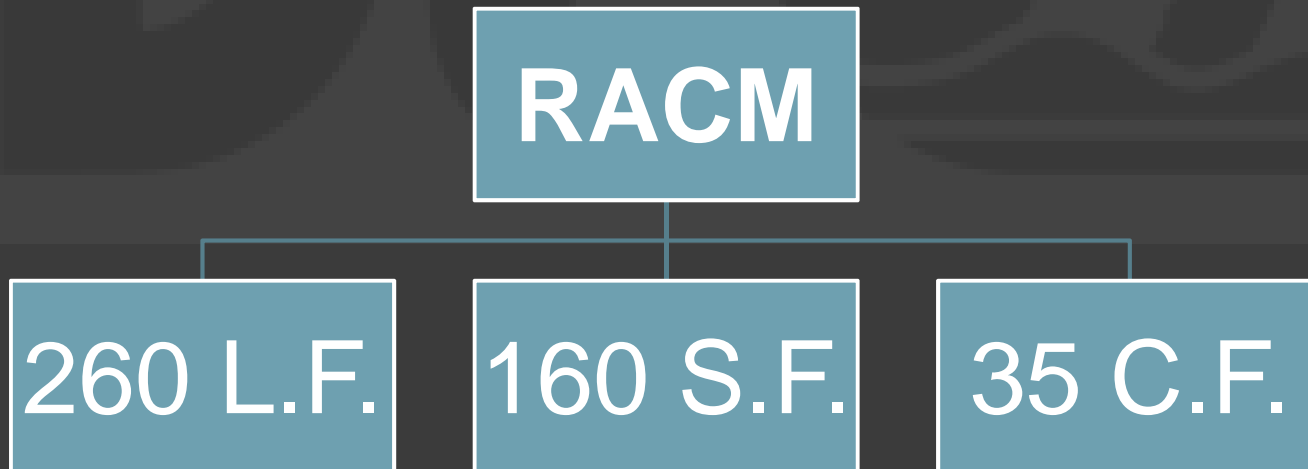
Regulated Asbestos Containing Materials (RACM)

- Friable asbestos- (material that can be crushed with hand pressure when dry)
- Category I-(packings, gaskets, resilient floor covering, asphalt roofing) that has become or will become friable
- Category II -(nonfriable material excluding Category I) that has become or will become crumbled, pulverized, or reduced to powder



Notification Requirements

- All Subject Demolitions (regardless of whether RACM is present or not)
- Renovation involving regulated asbestos at or above the threshold limits. (RACM). The asbestos amounts are additive in a project.



Notification

- ⦿ Notifications are currently submitted electronically through the Asbestos Notification System
- ⦿ <https://secure1.state.mi.us/AsbestosNotification/Login>
- ⦿ Submitted Notifications can be viewed by the public through the Notification (link) found on our website at <http://www.michigan.gov/air> under Asbestos NESHAP Program

Ordered Demolitions

- ⦿ Buildings declared unsafe (ordered by State or local governmental agency) AND in danger of imminent collapse
- ⦿ Some exemptions (Asbestos Survey, 10 working days)
- ⦿ Assume all material to be asbestos containing
- ⦿ Must notify no later than the next business day
- ⦿ Must use adequate water
- ⦿ No visible emissions
- ⦿ Disposal requirements



Emergency Renovations

- Results from a sudden unexpected event
- Presents a safety or public health hazard, is necessary to protect equipment from damage, or is necessary to avoid imposing an unreasonable financial burden
- Exempt from 10 working days
- Must notify no later than the next business day



Disposal Requirements

- Leaktight Containers
- Adequately Wet
- Labeling Requirements
- No Visible Emissions
- Deposited at an EPA Approved site licensed to accept asbestos waste (Type II Landfill)



Violation Inspections



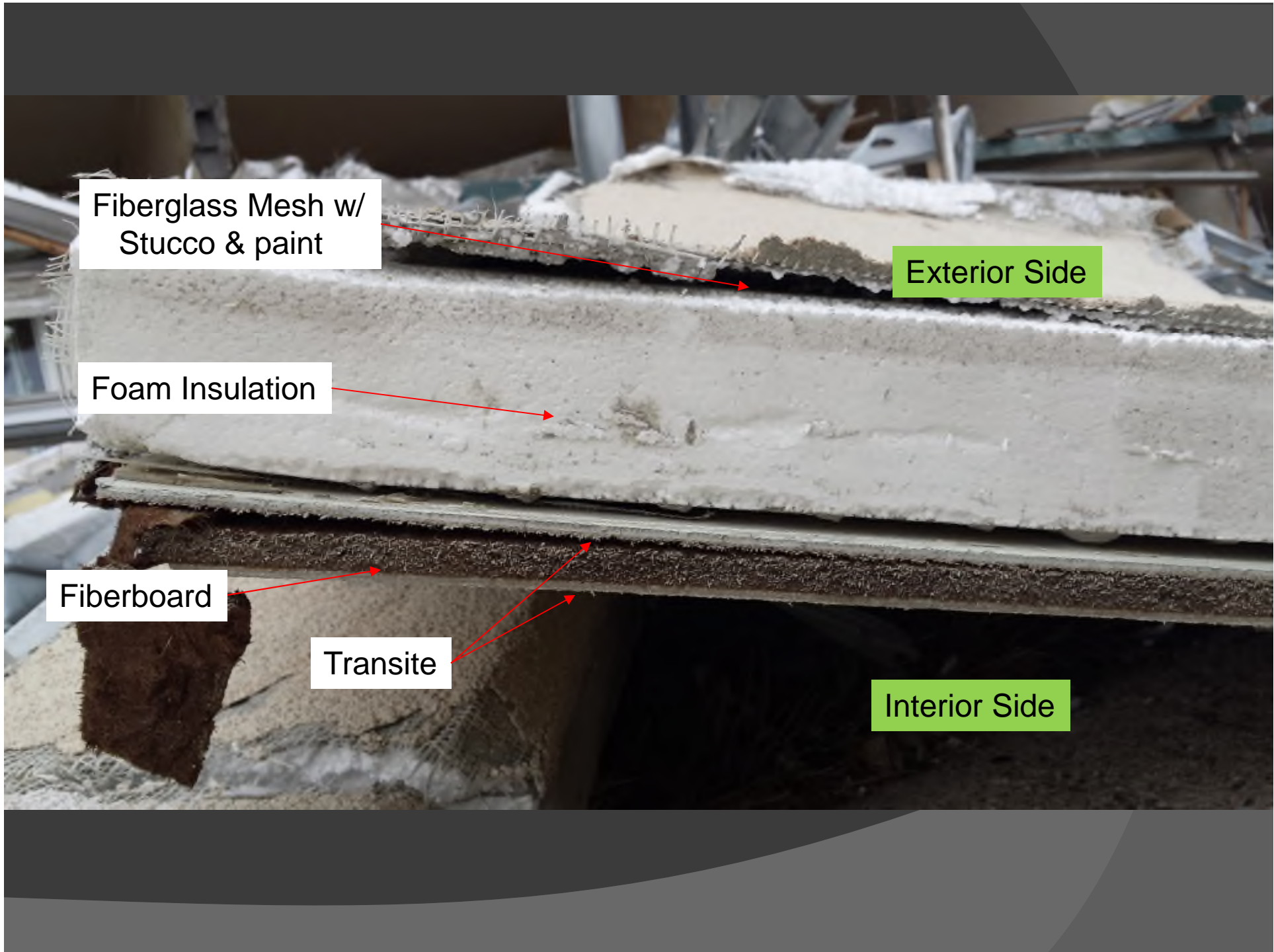
Hotel Demolition Project





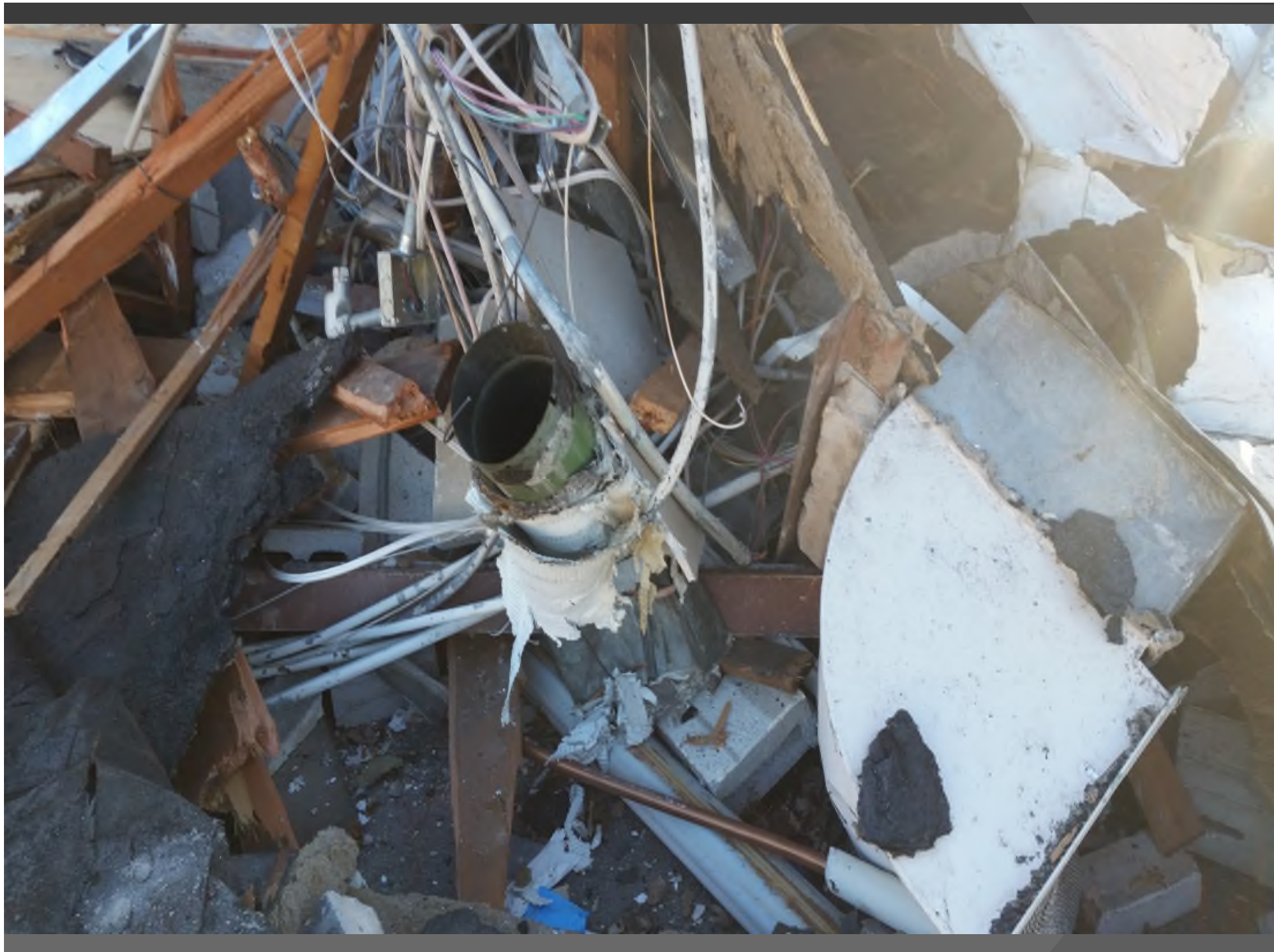
















Ordered Demolition Project





**Visible
emissions**





Garden hose →





Aftermath

- NESHAP Violations
- Fines up to \$37,500 per violation per day
- Administrative Consent Order (Public Notice)
- Stipulated penalties



AIR

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DEQ / AIR

AIR QUALITY

PROTECTING MICHIGAN'S AIR

The DEQ ensures that Michigan's air remains clean by regulating sources of air pollutants to minimize adverse impact on human health and the environment. Goals are to meet and maintain air quality standards, limit emissions of hazardous and toxic pollutants, and inform the public about current air conditions.

- [Staff Directory](#) 
- [Organization Chart](#) 
- [District Information](#) 
- [Michigan Air Emissions Reporting System](#)
- [Asbestos NESHAP Program](#)
- [Michigan Dry Cleaning Program](#)
- [Air Advisory Council](#)
- [Enforcement Program](#)
- [DEQ Calendar](#)

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Compliance Information

- [Permits \(PTI/NSR\) Public Notice](#)
- [A Citizen's Guide to Participation in Michigan's Air Pollution Control Program](#) 
- [Reporting Agricultural Air Quality Concerns](#)
- [Enforcement Program](#)
- [Clean Air Assistance Program](#)
- [Air Quality Source Information](#)
- [Air Quality Division \(AQD\) News and Reports](#)
- [Environmental Assistance Program \(EAP\) - Help with Air, Land, Waste, and Water Regulations](#)
- [Michigan Guide to Environmental, Health, and Safety Regulations](#)
- [Customized Workshops](#)

Technical Assistance

- [Continuous Emission Monitoring Systems Program Introduction](#)
- [Source Emissions Monitoring and Testing](#)
- [Continuous Emission Monitoring Systems Program](#)
- [Emissions and Opacity Monitoring](#)

Compliance Topics


[Compliance Assistance for Industry](#)

[Compliance Assistance Resources](#)

Dry Cleaning

- [Dry Cleaning Establishment Rules](#) 

Asbestos

- [Asbestos NESHAP Program](#)
- [Asbestos Assistance](#)
- [Asbestos NESHAP Subpart M](#) 



Criminal Cases



Morrow Dam Power Plant

March 2012





























“Michigan's largest asbestos release in at least 40 years leads to three convictions in federal case”

MLive 2/11/15



Outcome

- ⦿ All three defendants received 3 years probation.
- ⦿ Hammand and White ordered to pay \$154,604 each in restitution to the EPA.
- ⦿ LaBrie ordered to pay \$721,484 in restitution to the EPA and \$175,841 to IRS.
- ⦿ The EPA estimated clean-up costs at \$1.03 million, according to court documents.

Contacts

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THANK YOU!